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Intellectual Property Law

#6
FACSIMILE TRANSMITTAL SHEET

JC14 Rec'd PCT/PTO 06 MAY 2002

Telephone: (415) 781-1989

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4 Embarcadero Center - Suite 3400
San Francisco, California 94111-4187

DATE: 23 April 2002

FROM: Michael A. KAUFMAN
Reg No. 32,998

TO: Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

FAX NO.: (703) 308-6459

TEL. NO.: (703) 305-0045

NUMBER OF PAGES (including this transmittal sheet): 7

If you do not receive clear copies of any pages, please let us know.

RE: U.S. Patent Application
Serial No.: 09/980,956
Filing Date: 4 December 2001
Applicant: Donald JAFFREY
U.S. National Phase Filing of International Patent Application
Appl. No.: PCT/AU00/00631
Title: **A Fuel Cell Gas Separator**
Our File No.: A-71184/DJB/MAK

MESSAGE:

Please see attached Communication of Non-Receipt of Notice of Missing Requirements dated 23 April 2002. (The original of this correspondence will follow by first class mail.)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the within correspondence is being transmitted by facsimile to fax number (703) 308-6459 on 23 April 2002.

Signed
09980956

Todd V. LEONE

05/10/2002 LLANDGRA 00000032 061300

01 FC:966 414.00 CH
02 FC:968 280.00 CH

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PATENT

Attorney Docket No. A-71184/DJB/MAK

In re Application of

Donald JAFFREY

Serial No.: 09/980,956

Filing Date: 4 December 2001

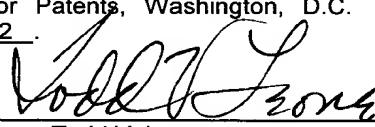
U.S. National Phase Filing of International
(PCT) Application No. PCT/AU00/00631

Title: **A Fuel Cell Gas Separator**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 on 23 April 2002.

Signed:


Todd V. LEONE

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

COMMUNICATION OF NON-RECEIPT OF NOTICE OF MISSING REQUIREMENTS

Sir:

We filed the above-referenced U.S. national phase filing of Australian PCT Application No. PCT/AU01/00631 on 4 December 2001 via the U.S. Postal Service ("Express Mail Post Office to Addressee" service). We did receive the validated return postcard back from the USPTO informing us of the serial number and showing the application as received on 4 December 2002. (A copy of the validated return postcard is attached hereto.) The application was filed without a Declaration. All filing fees were duly paid, including the surcharge for late filing of the Declaration.

To date, we have not received the expected Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). After a thorough search of our file wrapper for Appl. No. 09/980,956 (our File No. A-71184/DJB/MAK) failed to disclose any Notice of Missing Requirements, my secretary, Todd Leone, telephoned the PCT Help Desk at (703) 308-6162 on or about

EL 735048538US

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

Please acknowledge receipt of the enclosed patent application (U.S. National Phase filing of PCT application) with enclosures as marked (✓):

File No.: A-71184/DJB/MAK

PCT Appl. No.: PCT/AU00/00631

Applicant(s): Donald JAFFREY

Title: **A Fuel Cell Gas Separator**

- Specification with ___ pages and containing ___ claims
- Drawings (___ sheets)
- Copy of Form PCT/IB/308 (in lieu of specification and drawings)
- Transmittal Letter with fee calculation
- Check No. 38755 in the amount of \$1,260.00 (to pay filing fee(s))
- Express Mail Certification Under 37 CFR § 1.10
- Declaration Oath
- Declaration and Power of Attorney
- Assignment
- Check No. _____ in the amount of \$40 (for recordation of Assignment)
- Other: First Preliminary Amendment with replacement pages

by imprinting the Patent Office "date stamp" hereon and returning to the addressee indicated on the reverse. The above-referenced application and its enclosures were mailed via the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10.

"EXPRESS MAIL" LABEL NO. EL 735 048 538 US

Date of mailing: 4 December 2001

SF-1069537v1

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP

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PCT Appl. No.: PCT/AU00/00631

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09 / 980956

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"EXPRESS MAIL" LABEL NO. EL 735 048 538 US

Date of mailing: 4 December 2001

SF-1069537v1

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,956	Donald Jafrey	A-71184/DJB/MAK
		INTERNATIONAL APPLICATION NO.
		PCT/AU00/00631
I.A. FILING DATE		PRIORITY DATE
06/02/2000		06/04/1999

Michael A Kaufman
 Flehr Hohbach Test
 Albritton & Herbert
 4th Embarcadero Center Suite 3400
 San Francisco, CA 94111-4187

CONFIRMATION NO. 3450
371 FORMALITIES LETTER



OC000000007321089

Date Mailed: 01/31/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$694 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees

are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$694** for a Large Entity:

- Total additional claim fee(s) for this application is **\$694**
 - **\$414** for 28 total claims over 20.
 - **\$280** for multiple defendant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

CHARITTA A BURT

Telephone: (703) 305-3734

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/980,956	PCT/AU00/00631	A-71184/DJB/MAK

Weekly Docketing Report

Resp. & Fees Due from 03/31/2002 to 03/31/2002

Page: 1
Dated: Mon Apr 22, 2002

Case Number/Sub Case Country/Country Name	Due Date Status Application No.	Action Type Action Due Filing Date	Client	Title	Attorneys
A-70278-001 US United States of America	Mar 31, 2002 Pending 09/108542	US-Final Office Action Final OA 7/1/1998	MOTOROLA, INC.	PERSONAL HUMAN GENOME CARD AND METHODS AND SYSTEM S FOR PRODUCING SAME	RMS/CYO •
A-70278-001 US United States of America	Mar 31, 2002 Pending 09/108542	US-Final Office Action Appeal Notice 7/1/1998	MOTOROLA, INC.	PERSONAL HUMAN GENOME CARD AND METHODS AND SYSTEM S FOR PRODUCING SAME	RMS/CYO •
FE-58577-001-EP EP European Patent Office	Mar 31, 2002 Pending 95905986.6	ReSp. to OA Validate Countries 12/28/1994	MATRIX PHARMACEUTICAL, INC.	METHODS AND COMPOSITIONS FOR THE TREATMENT OF A HOST WITH A CELLULAR PROLIFERATIVE DISEASE	RFT/TAL
FTA-64232-007-EM EU European Community	Mar 31, 2002 Published 2198240	File Opposition Opposition Due v 2174142 4/25/2001	CLINICAL MICRO SENSORS, INC.	MOLECULE DESIGN	RMS/KSS/JU W

* * * COMMUNICATION RESULT REPORT (APR. 23. 2002 10:14AM) * * *

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FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
9476 MEMORY TX		G3-F :17033086459	OK	7/7

REASON FOR ERROR
 E-1) HANG UP OR LINE FAIL
 E-3) NO ANSWER

E-2) BUSY
 E-4) NO FACSIMILE CONNECTION

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